

REMARKS

In response to the Office Action dated August 30, 2004 and the Examiner's restriction requirement, claims 2, 5, 14, 22, and 25-37 have been cancelled. Claims 1, 3, 4, 6-13, 15-21, and 23-24 are in the application and stand rejected. Reconsideration is respectfully requested.

Restriction Requirement

The Examiner has subjected the application to a restriction requirement. Applicant hereby elects the claims of Group I (claims 1-25) without traverse. The remaining claims (26-37) have been canceled.

Rejections under § 112

The Examiner has rejected claims 2, 11, 12, and 14 under 35 U.S.C. § 112, ¶ 2 for indefiniteness. The subject matter of these claims have been rewritten to address the Examiner's concerns.

Rejections under § 102

The Examiner has rejected claims 1, 2, and 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,155,648 to Gauthier and also by U.S. Patent No. 4,891,728 to Preis et al. Claim 1 has been amended to include the subject matter of dependent claims 2 and 5. Claim 13 has been amended to include the subject matter of dependent claim 14.

The Examiner contends that resistor R21 is a bypass resistance as recited in the claims. Gauthier teaches that this resistor “must have a high value, in the order of 1 MΩ, for example” to avoid compromising system performance. (Gauthier, Col. 5, lines 4-6). The Examiner contends that Preis discloses (element 20 in Fig. 3) an in-rush current limiting resistor. However, there is no disclosure of the resistance for this element.

Claims 1 and 13, as amended both recite an “in-rush current limiting resistor having a resistance in the range of 5 to 10 ohms.” Because neither Gauthier nor Preis disclose an in-rush current limiting resistor with a resistance in the range of 5 to 10 ohms, as recited in independent claims 1 and 13, the rejection of these claims as being anticipated has been traversed and should be withdrawn.

Rejections under § 103

The Examiner has rejected claims 5-7, 14, and 15 under 35 U.S.C. § 1032(a) as being obvious over Gauthier in view of the Horowitz textbook. Applicant will consider this rejection as being applied to independent claims 1 and 13, because claims 1 and 13 have been amended to include the subject matter of 5 and 14, respectively, and dependent claims 6, 7 and 15.

The Examiner contends that it would have been obvious to modify the system of Gauthier to use a bypass resistor equal to 5 ohms, presumably on the grounds that this selection would have been an obvious design choice. The applicant disagrees that it would have been obvious to modify Gauthier in this manner because Gauthier specifically teaches that resistor R21 “must have a high value, in the order of 1 MΩ” to avoid reducing system performance. Modifying Gauthier as suggested by the Examiner

to use a resistor with a resistance reduced by a factor of at least 100 would be directly contrary to this teaching. (Horowitz has been cited only for its disclosure of MOS transistor resistance values and does not cure this deficiency.)

Accordingly, the applicant submits that the rejection of claims 5 and 14 as applied to independent claims 1 and 13, has been traversed and should be withdrawn. Dependent claims 6, 7 and 15 are likewise allowable for at least the same reasons.

Claims 3 and 4 have been rejected under 35 U.S.C. § 103(a) as being obvious over Preis in view of Horowitz. Claims 8-9, 16, and 17 have been rejected under 35 U.S.C. § 103(a) as being obvious over Preis in view of *In re Boesch*. Claims 3, 4, 8, and 9 depend from claim 1 and claims 16 and 18 depend from claim 13. Claims 1 and 13 recite a bypass resistor having a resistance in the range of 5 to 10 ohms. Preis does not disclose a value for a bypass resistor. Moreover, claims 1 and 13 (from which claims 3, 4, 8, 9, 16, and 17 depend) are considered rejected as being obvious over Gauther, which as discussed above teaches that the resistance “must have a high value, in the order of 1 MΩ.”

Accordingly, applicants submit that Preis does not cure the deficiency of Gauther and, therefore, that the rejection of dependent claims 3, 4, 8, 9, 16, and 17 has been traversed.

Claim 25 has been canceled to focus the issues on those raised by independent claims 1 and 13.

With respect to the remaining pending claims (8-12, 16-21, 23 and 24) likewise stand rejected as being obvious over Gauther in view of one or more additional references. However, each of these claims recites directly or indirectly a bypass resistor

having a resistance in the range of 5 to 10 ohms. Because Gauthier teaches that resistor R21 "must have a high value, in the order of 1 M Ω ", it would not have been obvious to modify Gauthier to use a bypass resistor as recited in the present claims.

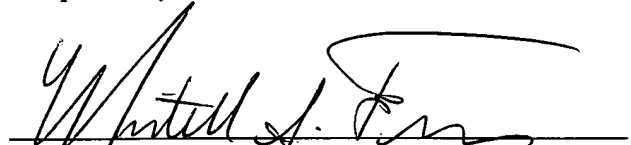
Accordingly, these claims are also allowable over the cited art for at least this reason.

CONCLUSION

Each and every issue raised by the Examiner has been addressed in the above amendments and remarks. Reconsideration is respectfully requested. Should the Examiner believe that the progress of the application would be advanced by direct contact with the applicant's attorney, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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